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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/417,201	10/11/1999	BRETT EDWARD JOHNSON	10982213	7100

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FORT COLLINS, CO 80527-2400

EXAMINER
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ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/417,201

**Applicant(s)**

JOHNSON ET AL.

**Examiner**

Charles E. Anya

**Art Unit**

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3/ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-11,13,16,17 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-11,13,16,17 and 21-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

1. Claims 1-5,7-11,13,16,17 and 21-26 are pending in this application.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim language in line 5 of claim 1 "automatically determining without prompting from a user if an intercept library is enabled to process the event" is not enabled.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**5. Claims 1-5,7-11,13,16,17 and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U-S. Pat. No. 5,764,985 to Smale in view of U.S. Pat. No. 6,584,491 B1 to Niemi et al.**

6. As to claim 1, Smale teaches a method for intercepting an event, the method comprising: generating an event with an application program (Application Programs

7. 23/24 Col. 4 Ln. 20 - 22, figure 2 Col. 4 Ln. 41 - 52), calling an application program interface to process the event/receiving the event with the application program interface (API 25 Col. 4 Ln. 20 - 22, figure 2 Col. 4 Ln. 41 - 52), determining if an intercept library is enabled to process the event/if the intercept library is enabled to process the event (Extension 34/35 Col. 4 Ln. 53 - 60), transmitting said the event from the application program interface to a generic interception communication interface having at least one intercept event send handler, the generic interception communication interface maintaining communication between said the application program interface and the intercept library (Routing Component 26 Col. 4 Ln. 23 - 31, figure 2 Col. 4 Ln. 41 - 52), transmitting the event from the generic interception communication interface to the intercept library with the at least one send handler (Service Provider 29 Col. 4 Ln. 23 - 31).

8. Smale is silent with reference to determining if the event is to be processed by the intercept library, and if the event is to be processed by the intercept library processing said the event with the intercept library.

9. Niemi teaches determining if the event is to be processed by the intercept library, and if the event is to be processed by the intercept library processing said the event with the intercept library (“...filter process...” Col. 3 Ln. 1 – 28).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Niemi and Smale because the teaching of Niemi would improve the system of Smale by providing an arrangement that enables efficient tracing and monitoring of the progress of an event message as the message passes through a distributed multiple process event distribution system (Niemi Col. 2 Ln. 41 – 44).

11. As to claim 2, Smale teaches the method of claim 1, further including: defining a plurality of events to be intercepted (“...functions calls...” Col. 4 Ln. 20 - 21).

12. As to claim 3, Smale teaches the method of claim 2, wherein determining if the event is to be processed by the intercept library further includes: finding the event to be processed in the plurality of events to be intercepted (Col. 6 Ln. 21 - 62).

13. As to claim 4, Smale teaches the method of claim 1, wherein the event is selected from the group consisting of function calls and operating system calls (Col. 4 Ln. 20 - 31).

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14. As to claim 5, the method of claim 1, wherein processing the event includes:  
sending a message enabling the application program interface to process the event if  
the intercept library cannot process the event (Col. 8 Ln. 14 - 23).
15. As to claims 7 and 13, see the rejection of claim 1 above.
16. As to claims 8 and 9, see the rejection of claims 2 and 3 above.
17. As to claims 10 and 16, see the rejection of claim 4 above.
18. As to claims 11 and 17, see the rejection of claim 5 above.
19. As to claim 21, Smale teaches the method of claim 1, wherein processing the  
event comprises invoking with the intercept library an event program that processes the  
event (Col. 4 Ln. 27 - 31).
20. As to claim 22, Smale teaches the method of claim 1, further comprising  
returning an output from the intercept library to the application program interface for  
transmission to the application program (Col. 4 Ln. 61 - 67).
21. As to claims 23,24 and 25,26, see the rejection of claims 21 and 22 respectively.

***Response to Arguments***

22. Applicant's arguments with respect to claims 1-17 and 21-26 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya  
Examiner  
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